

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JOHN BARNHARDT, ET AL.

PLAINTIFFS

AND

UNITED STATES OF AMERICA

PLAINTIFF INTERVENOR

V.

CIVIL ACTION NO. 4:65-CV-01300-HTW-LRA

**MERIDIAN MUNICIPAL SEPARATE
SCHOOL DISTRICT, ET AL.**

DEFENDANTS

JOINT MOTION FOR STATUS CONFERENCE

All Parties respectfully request a status conference regarding the District's Motion to Modify Desegregation Plan and for Expedited Consideration. [167], [173].

In support of this motion, the Parties show the following:

1. On August 9, 2019, Plaintiffs and the District filed a Joint Motion for Preliminary Approval of Settlement Agreement and Authorization of Notice to the Plaintiff Class Pursuant to Rule 23(E) of the Federal Rules of Civil Procedure ("Joint Settlement Approval Motion"). [158]. On November 17, 2021, the Court held a status conference, which, among other topics, included discussion of the Joint Settlement Approval Motion.

2. On July 22, 2022, the District filed its Modification Motion to accommodate the Meridian Public School Board of Education's decision to close Carver Middle School. [167]. Plaintiffs responded in opposition on August 5, 2022, [170], and the District replied in support of its Modification Motion a few days later. [173]. On August 11, the Court held an evidentiary hearing on the District's Modification Motion, which included witness testimony and argument.

3. On March 23, 2023, the District informed Plaintiffs and the Court through written correspondence that the Board recently approved an elementary school reconfiguration plan, which would close Oakland Heights and T.J. Harris Elementary Schools. The District also informed Plaintiffs and the Court that it planned to file a separate motion to further modify the desegregation plan. On May 18, 2023, the District submitted its Second Motion to Modify Desegregation Plan and for Expedited Consideration. [180]. The DOJ does not oppose the District's Second Modification Motion. The Plaintiffs responded in opposition to the Second Modification Motion on June 8, 2023, [194], and the District submitted its Reply in Support of the Second Modification Motion on June 15, 2023. [195].

4. Briefing is now complete on the District's Second Modification Motion. The Court's resolution of the District's July 22, 2022 Modification Motion, [167], is necessary to resolve the District's Second Modification Motion. [180]. This is an urgent matter, because the beginning of the 2023-2024 school year is less than thirty days away.

5. For these reasons, all Parties request a status conference to discuss when the Court will issue its ruling on the First and Second Motions for Modification.

Respectfully submitted, this 10th day of July, 2023.

MERIDIAN PUBLIC SCHOOL DISTRICT

/s/ John S. Hooks

OF COUNSEL:

John S. Hooks
MS Bar No. 99175
Adams and Reese LLP
1018 Highland Colony Parkway, Suite 800
Ridgeland, Mississippi 39157
Telephone: 601.353.3234
Facsimile: 601.355.9708
E-mail: John.Hooks@arlaw.com

And

John G. Compton
MS Bar No. 6433
Witherspoon and Compton LLC
1100 23rd Avenue
Meridian, Mississippi 39302
Telephone: 601.693.6466
Facsimile: 601.693.4840
E-Mail: JCompton@witherspooncompton.com

JOHN BARHARDT, ET AL.

/s/ Fred L. Banks, Jr.

Fred L. Banks, Jr.
Phelps Dunbar LLP
MS Bar No. 1733
4270 I-55 North
Jackson, MS 39211-6391
Telephone: 601.360.9356
Facsimile: 601.360.9777
E-mail: fred.banks@phelps.com

/s/ John S. Cusick

Natasha Merle
John S. Cusick
Legal Defense Fund
40 Rector Street, 5th Floor
New York, NY 10006
Telephone: 212.965.2200
Facsimile: 212.226.7592
E-mail: jcusick@naacpldf.org

UNITED STATES OF AMERICA

DARREN J. LAMARCA
United States Attorney

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division
SHAHENNA SIMONS, Chief
Educational Opportunities Section

/s/ Mitzi Dease Paige

Mitzi Dease Paige
Assistant U.S. Attorney
MS Bar No. 6014
Civil Division
Southern District of Mississippi
501 E. Court Street, Suite 4.430
Jackson, MS 39201
Telephone: 601.973.2840
E-mail: mitzi.paige@usdoj.gov

/s/ Aria Vaughn

Natane Singleton
Aria S. Vaughn
NY Bar No. 5044748
Trial Attorneys
U.S. Department of Justice
Civil Rights Division
Educational Opportunities Section
Patrick Henry Building, Suite 4300
950 Pennsylvania Ave., NW
Washington, D.C. 20530
Telephone: 202.598.9619
E-mail: natane.singleton@usdoj.gov
aria.vaughn@usdoj.gov

CERTIFICATE OF SERVICE

I do hereby certify that on this date, I filed electronically a true and correct copy of the foregoing with the Clerk of this Court using the CM/ECF system which caused notice to be served on all registered counsel of record.

Dated: July 10, 2023.

/s/ John S. Hooks